

1 Todd R. Alexander, Esq., NSB #10846
2 Lemons, Grundy & Eisenberg
3 6005 Plumas Street, Suite 300
4 Reno, Nevada 89519
5 Phone: (775) 786-6868
6 Fax: (775) 786-9716
7 Email: tra@lge.net

8
9 Jason H. Weber, Esq.
10 Fla. Bar No.: 86832
11 *Admitted Pro Hac Vice [D.E. 10]¹*
12 Xander Law Group, P.A.
13 One N.E. 2nd Avenue, Suite 200
14 Miami, FL 33132
15 Phone: (305) 767-2001
16 Fax: (855) 926-3370
17 Email: jason@xanderlaw.com
18 Attorneys for Respondent

19
20
21 **UNITED STATES DISTRICT COURT**
22 **DISTRICT OF NEVADA**

23 GOLDEN PHOENIX MINERALS, INC.

24 Case No. 3:15-CV-00521-RCJ-(WGC)

25 Petitioner,

vs.

17 PINNACLE MINERALS
18 CORPORATION,

19 Respondent.

20 /

21 **PINNACLE MINERALS CORPORATION'S SIGNED STATEMENT PURSUANT TO**
22 **COURT ORDER**

23 _____

24
25 ¹ On October 29, 2015, this Court entered an Order which approved the undersigned attorney's Petition for Permission to Practice Pro Hac Vice. The undersigned attorney has complied with LR IA 10-2.

1 PINNACLE MINERALS CORPORATION (“Pinnacle”), pursuant to the Court’s Order
2
3 dated October 19, 2015 [D.E. 3], provides the following statement:

- 4 1. Pinnacle has yet to be formally served with any Complaint in this action.
5 2. Pinnacle has yet to be formally served with any summons in connection with this
6 action.

7 3. No defendant has been served in this action. The only listed defendant is Pinnacle
8 which is not a citizen of Nevada.

9 4. Pinnacle has not yet been served with a copy of the Petition so no removal deadlines
10 have been triggered. Nonetheless, any deadlines would have been tolled by operation of the
11 automatic stay ensuing from Pinnacle’s July 3, 2015 bankruptcy petition in the Bankruptcy Court
12 for the Southern District of Florida, Case No. 15-22098-BK-AJC. *See* 11 U.S.C. § 108(c); § 362(a).
13 This issue was proactively addressed in the Notice of Removal itself. [D.E. 1: Notice of Removal
14 ¶6].

15 5. The action being removed was commenced in less than a year from the date of
16 removal.

17 6. No defendants have been served. There are no defendants in this action other than
18 the removing party, Pinnacle.

19
20
21
CERTIFICATE OF SERVICE

22
23 I HEREBY CERTIFY that, on this 3rd day of November, 2015, the following individuals
24 were served the foregoing *Statement* via the Court’s CM/ECF system: Rew R. Goodenow and
25

1 Ashley Christine Nikkel, Parsons Behle & Latimer, 50 W. Liberty Street, Suite 750, Reno, Nevada
2 89501, at rgoodenow@parsonsbehle.com and anikkel@parsonsbehle.com.
3
4

5 /s/Jason H. Weber
6 Jason H. Weber, Esq.
7 Fla. Bar No.: 86832
8 *Admitted Pro Hac Vice [D.E. 10]*
9 Xander Law Group, P.A.
10 One N.E. 2nd Avenue, Suite 200
11 Miami, FL 33132
12 Phone: (305) 767-2001
13 Fax: (855) 926-3370
14 Email: jason@xanderlaw.com
15 Attorneys for Respondent
16
17
18
19
20
21
22
23
24
25